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UNITED STATES DISTRICT COURT

DISTRICT OF WYOMING

UNITED STATES OF AMERICA,

Plaintiff,

v.

Criminal No. 2:10-cr-00088-ABJ-1

BRETT MATHEW LATTIN,

Defendant,

and

MINERAL RESOURCES MANAGEMENT,
LLC,

Garnishee.

PLAINTIFF'S MOTION FOR ORDER TO SHOW CAUSE

Plaintiff, United States of America, by and through the United States Attorney for the District of Wyoming, and Assistant United States Attorney Jasmine M. Peters, respectfully moves this Court, pursuant to 28 U.S.C. § 3205(c)(6) for an Order to Show Cause as to why Garnishee Mineral Resources Management, LLC ("Garnishee") and/or c/o Christopher M. Wages, Agent, should not be held in contempt for its failure to pay to the Clerk of Court 25% of each benefit held by Garnishee and owed to Defendant pursuant to the Final Order in Garnishment (Doc. 37). In support of this motion, the United States provides as follows:

1. On August 4, 2021, the United States filed an Application for Writ of Garnishment against Defendant Brett Mathew Lattin (“Defendant”) and Garnishee. (Doc. 31). The Writ was addressed to Garnishee through Christopher M. Wages, Agent at 130 S. Main Street, Buffalo, WY 82834. (*See id.*).
2. Garnishee, through Member Daniel L. Groskop, filed an Answer to the Writ on August 16, 2021. (Doc. 35). According to the Answer, Defendant is paid bi-weekly, with a gross pay of \$2,000, and the amount to be withheld each pay period as \$410. (*Id.*).
3. On September 1, 2021, the United States District Court for the District of Wyoming entered a Final Order in Garnishment (“Order”) against Defendant and Garnishee. (Doc. 37). The Order instructed Garnishee “and/or c/o Christopher M. Wages, Agent, The Wages Group, LLC, 130 S. Main Street, Buffalo, WY 82834” to pay to the Clerk of District Court for the District of Wyoming 25% of each benefit held by Garnishee and owed to Defendant. (*Id.*).
4. Under the Federal Debt Collection Procedure Act, (“FDCPA”), if Garnishee fails to withhold the appropriate amounts and submit payment pursuant to a final order in garnishment, then Garnishee may be liable for the amounts owed. 28 U.S.C. § 3205(c)(6).
5. Since September 2021, the Clerk of District Court has received only eight payments from Defendant: two payments in October 2021 for \$410; two payments in November 2021 for \$410; one payment in December 2021 for \$410; one payment in January 2022 for \$410; one payment in June 2023 for \$400; and one payment in January 2024 for \$400. *See* Ex. 1, Single Liability Payment.
6. Plaintiff believes Defendant has maintained his employment with Mineral Resources Management, LLC. Accordingly, Garnishee has failed to withhold and pay to the Clerk of District Court approximately \$22,980.

7. On January 29, 2024, undersigned counsel contacted Mr. Wages to discuss the back owed garnishment payments owed by Mineral Resources Management, LLC by phone. During that conversation, Mr. Wages stated that he represented Defendant but did not recall ever representing Garnishee. On February 6, 2024, Mr. Wages's legal assistant provided contact information for Defendant's claimed current employer. *See* Ex. 2, Correspondence. As of February 6th, Mr. Wages represented that Defendant was employed by Reef Energy Services, LLC, naming Danny Griffin as the President and COO. *See id.*
8. On April 1, 2024, undersigned counsel sent a letter demanding the back owed garnishment payments to Garnishee Mineral Resources Management, LLC in accordance with the information provided in the Answer (Doc. 35). The letter was refused and returned on April 18, 2024.
9. On April 2, 2024, the United States filed an Application for Writ of Garnishment against Defendant and Garnishee Reef Energy Services, LLC. (Doc. 41).
10. Reef Energy Services, LLC filed an Answer on April 15, 2024. (Doc. 45). In that Answer, Reef Energy Services, LLC stated Defendant has never been an employee and Mr. Griffin has never had any "actual, implied nor apparent authority to act on Garnishee's behalf." (*Id.* at 5). Simultaneous with this motion, Plaintiff has filed a motion to withdraw the Writ of Garnishment against Defendant and Garnishee Reef Energy Services, LLC (Doc. 41).
11. Accordingly, not only has Mr. Wages provided inaccurate information concerning Defendant's current employment, but he has also failed to provide information as to resolving the back owed garnishment withholdings due from Garnishee. In addition, according to the Wyoming Secretary of State, Mr. Wages is the Registered Agent for

Garnishee Mineral Resources Management, LLC. Therefore, Mr. Wages is both Defendant's counsel and the Registered Agent for Garnishee.

As Garnishee's Agent, the United States requests Garnishee through Mr. Wages, be required to appear and show cause for failing to withhold and pay to the Clerk of Court 25% of the benefits held by Garnishee and owed to Defendant under the Order, or to be held in contempt.

Dated April 25, 2024

NICHOLAS VASSALLO
United States Attorney

By: /s/ Jasmine M. Peters
JASMINE M. PETERS
Assistant United States Attorney

CERTIFICATE OF SERVICE

I hereby certify that on April 25, 2024, I served a true and correct copy of the foregoing upon Defendant's counsel Christopher M. Wages by ECF and Garnishee by depositing with the United States Postal Service, first-class postage prepaid, as follows:

Christopher Wages, Registered Agent
Mineral Resources Management, LLC
130 S. Main Street
Buffalo, WY 82834

Mineral Resources Management, LLC
Attn: Daniel L. Groskop
P.O. Box 768
Sheridan, WY 82801

/s/ Hunter Davila
Hunter Davila
United States Attorney's Office